



## **Information and Application Materials United States Magistrate Judge Applicants San Francisco/Oakland**

This package provides information necessary to apply for a United States Magistrate Judge position with the United States District Court for the Northern District of California. This packet contains:

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## Information for Applicants

### A. LOCATION OF JUDGESHIP AND APPLICATION DEADLINE

Applications for the office of United States Magistrate Judge in the Northern District of California are now invited. The successful applicant will maintain chambers in the San Francisco/Oakland courthouses. Applications (original and **ten** copies) must be addressed to Richard W. Wieking, Clerk, U.S. District Court, 450 Golden Gate Avenue, San Francisco, CA 94102 and **must be received no later than June 17, 2011.**

### B. MAGISTRATE JUDGE'S RESPONSIBILITIES/QUALIFICATIONS

To meet the minimum qualifications for appointment, applicants:

- (1) Must be members in good standing of the bar of the highest court of a State, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States.
- (2) Must have been engaged in the active practice of law for a period of at least five years. The court may consider as substitute experience for the active practice of law the following, including any combination thereof:
  - (a) Judge of a state court of record or other state judicial officer
  - (b) United States Magistrate Judge
  - (c) Bankruptcy Judge or other federal judicial officer
  - (d) Attorney for federal or state agencies
  - (e) Up to two years as a law clerk to any judge or judicial officer as a staff attorney or pro se law clerk in a court
  - (f) Other legal experience which is suitable as a substitute in the opinion of the majority of the active district judges of the court
- (3) Must be competent to perform the duties of the office, of good moral character, emotionally stable and mature, committed to equal justice under the law, in good health, patient, courteous, and capable of deliberation and decisiveness when required to act on own reason and judgment.
- (4) At the time of initial appointment, must not be related by blood or marriage to a judge of the District Court to which the magistrate judge is being appointed, within the degrees specified in § 458 of Title 28 of the United States Code.
- (5) In the case of an initial appointment, must not be 70 years of age or older. The appointment of a magistrate judge terminates when the magistrate judge reaches age 70; however, 28 U.S.C. § 631(d) permits a magistrate judge 70 years of age or older to continue to serve and to be reappointed for sequential one-year terms upon majority vote of all active district judges.
- (6) Must be a citizen of the United States.

**C. JUDGESHIP AVAILABILITY/TERM OF APPOINTMENT**

The Merit Selection Panel is searching for the best-qualified individuals currently available for appointment to an eight-year term.

**D. MAGISTRATE JUDGE SALARY**

The current annual salary is \$160,080. Magistrate judge salaries are set by Congress. Periodically, Congress adjusts salaries based on cost of living increases.

Note: Relocation expenses will not be paid.

**E. MAGISTRATE JUDGE JURISDICTION**

The jurisdiction, powers and duties of a magistrate judge are specified in 28 U.S.C. § 636.

**F. SELECTION PROCESS**

Each district court within the Ninth Circuit uses a competitive open-selection merit process in making appointments for the office of a magistrate judge. It is a complex and time-consuming procedure. Applicants should expect the entire process to require four to twelve months. A Merit Selection Panel composed of a chair and at least six other members evaluates all applications and conducts interviews of those applications the panel deems to be most qualified. The panel prepares a report of its recruitment activities and recommends for final consideration by the district court the names of those candidates the panel considers most qualified. The final selection is made by majority vote of the active judges of the district court. In the event the judges of the district court are unable to make a selection, the chief judge shall make the determination.

Following the selection, a thorough background check is undertaken by the Federal Bureau of Investigation and a report is submitted by the Internal Revenue Service. Final appointment is contingent upon satisfactory reports by these agencies.

Applicants may be required to have a physical examination at the applicant's expense.

**G. SUGGESTIONS FOR COMPLETING THE APPLICATION**

- (1) All applications must be typed. You may use a word processor if you wish, but you must follow the application format set forth in the attached form.
- (2) Application forms and more information on the magistrate judge position may be obtained:
  - (a) on the court's website at [cand.uscourts.gov](http://cand.uscourts.gov) under "Career Opportunities" and
  - (b) by mail by sending a request to Richard W. Wieking, Clerk, U.S. District Court, 450 Golden Gate Avenue, San Francisco, CA 94102 with a self-addressed 9" x 12" envelope, affixed with \$1.22 postage.

- (3) Answer all questions as thoroughly as possible. If a question or section is not applicable, please so state and, unless obvious, state why it is inapplicable. Incomplete applications will not be processed.
- (4) Respond fully to each question. If there is insufficient space for your response on the application itself, use a separate attachment sheet. Any attachment sheets should be inserted where appropriate between the application pages. Mark each appended sheet with a letter designation keyed to the page it supplements (e.g., pg. 4A, 4B).
- (5) Complete and sign the authorizations and waivers accompanying the application.
- (6) The original application must be complete with any supporting documents, including the two medical and professional experience inquiry authorization and waiver forms, in order to be considered. **TEN COPIES** of the original packet, excluding the medical authorization and waiver form, must also be submitted. All materials should be stapled or firmly clipped together.
- (7) Applicants should retain the informational pages of the application materials for their records.

## **H. RETURN OF APPLICATIONS**

All completed applications, including applicable authorizations and waivers, must be signed personally by the applicant. The original documents and ten copies must be **received by June 17, 2011** at the following address:

Richard W. Wieking, Clerk  
U.S. District Court  
450 Golden Gate Avenue  
San Francisco, CA 94102

## **THE UNITED STATES COURTS IS AN EQUAL OPPORTUNITY EMPLOYER**

*If you believe that you are the recipient of discriminatory treatment, or if you have a complaint about any other aspect of the merit selection process, such complaint should be addressed to:*

Honorable James Ware  
United States District Chief Judge  
450 Golden Gate Avenue  
San Francisco, CA 94102

**United States Magistrate Judge  
Application Form  
San Francisco/Oakland**

**A. PERSONAL/BIOGRAPHICAL**

Name: \_\_\_\_\_

Where to Contact: ☐ Home ☐ Business

Business Address: \_\_\_\_\_

Business Telephone: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Social Security #: \_\_\_\_\_

Are you under age 70? ☐ yes ☐ no

Are you a citizen of the United States? ☐ yes ☐ no

**B. HEALTH INFORMATION**

1. What is the present state of your physical and mental health?

2. Do you have any physical or mental impairment which might prevent or limit the performance of the essential functions of the office of magistrate judge unless some accommodations were to be made?      ☐ yes      ☐ no

If yes, please explain on a separate page and provide name, address and telephone number of the physician(s) knowledgeable of such impairment.

3. Within the last 10 years have you suffered from, and/or been treated for, alcoholism or drug addiction?      ☐ yes      ☐ no

If yes, please explain on a separate page. If you have received treatment, state the name, address and telephone number of the health care provider(s) knowledgeable of such treatment.

**C. PRESENT EMPLOYMENT/AFFILIATION**

Name of employer, firm or agency: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Your title or position: \_\_\_\_\_

Your supervisor's or managing partner's name: \_\_\_\_\_

Your supervisor's title or position: \_\_\_\_\_

May we contact this person regarding your qualifications?      ☐ yes      ☐ no

Dates of employment or affiliation: \_\_\_\_\_

Give a synopsis of this position including nature of practice and types of matters accounting for most of your time:

## D. PRIOR EMPLOYMENT/AFFILIATIONS

*(For this section, list your legal and non-legal work experience for the last fifteen years, excluding your current position. Explain any periods of unemployment more than 90 days, except those due to disability. Repeat this information for each position.)*

1. Name of employer, firm or agency: \_\_\_\_\_
2. Address: \_\_\_\_\_  
\_\_\_\_\_
3. Telephone: \_\_\_\_\_
4. Positions you held: \_\_\_\_\_
5. Your supervisor's/managing partner's name: \_\_\_\_\_
6. Your supervisor's title or position: \_\_\_\_\_
7. May we contact this person regarding your qualifications? ☐ yes ☐ no
8. Dates of employment or affiliation: \_\_\_\_\_
9. Principal duties:

1. Name of employer, firm or agency: \_\_\_\_\_
2. Address: \_\_\_\_\_  
\_\_\_\_\_
3. Telephone: \_\_\_\_\_
4. Positions you held: \_\_\_\_\_
5. Your supervisor's/managing partner's name: \_\_\_\_\_
6. Your supervisor's title or position: \_\_\_\_\_
7. May we contact this person regarding your qualifications? ☐ yes ☐ no
8. Dates of employment or affiliation: \_\_\_\_\_
9. Principal duties:

1. Name of employer, firm or agency: \_\_\_\_\_
2. Address: \_\_\_\_\_  
\_\_\_\_\_
3. Telephone: \_\_\_\_\_
4. Positions you held: \_\_\_\_\_
5. Your supervisor's/managing partner's name: \_\_\_\_\_
6. Your supervisor's title or position: \_\_\_\_\_
7. May we contact this person regarding your qualifications?    ☐ yes    ☐ no
8. Dates of employment or affiliation: \_\_\_\_\_
9. Principal duties:

1. Name of employer, firm or agency: \_\_\_\_\_
2. Address: \_\_\_\_\_  
\_\_\_\_\_
3. Telephone: \_\_\_\_\_
4. Positions you held: \_\_\_\_\_
5. Your supervisor's/managing partner's name: \_\_\_\_\_
6. Your supervisor's title or position: \_\_\_\_\_
7. May we contact this person regarding your qualifications?    ☐ yes    ☐ no
8. Dates of employment or affiliation: \_\_\_\_\_
9. Principal duties:



## E. DESCRIPTION OF LEGAL PRACTICE

1. Estimate what percentages of your total time in legal work during the last five years concerned:

Federal civil law matters	_____ %
Federal criminal law matters:	_____ %
State civil law matters:	_____ %
State criminal law matters:	_____ %
Other:	_____ %

Please explain:

2. Summarize your litigation and other professional work (e.g. administrative duties, alternate dispute resolution, teaching, supervising the legal work of others and firm management). Provide a detailed summary of your trial experience.

3. Provide the following information on three particularly significant cases in which you were involved.

**Case name:**

Court and case citation number (if any):

Presiding Judge:

Nature of case:

Your role in case:

Results of your activities in this case, and explain why this case was significant to you:

Co-counsel(s) name:

Address:

Telephone:

Opposing counsel(s) name:

Address:

Telephone:

**Case name:**

Court and case citation number (if any):

Presiding Judge:

Nature of case:

Your role in case:

Results of your activities in this case, and explain why this case was significant to you:

Co-counsel(s) name:

Address:

Telephone:

Opposing counsel(s) name:

Address:

Telephone:

**Case name:**

Court and case citation number (if any):

Presiding Judge:

Nature of case:

Your role in case:

Results of your activities in this case, and explain why this case was significant to you:

Co-counsel(s) name:

Address:

Telephone:

Opposing counsel(s) name:

Address:

Telephone:

**F. PRIOR JUDICIAL OR QUASI-JUDICIAL EXPERIENCE**

*(Repeat this information for each judicial or quasi-judicial experience)*

Name of court/agency: \_\_\_\_\_

Period of service: \_\_\_\_\_

Judicial title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Chief Judge: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Describe the nature of your judicial duties (e.g. nature of cases, level of authority, criminal or civil, administrative, written or oral opinion, etc.):

Have you ever been required to respond to any complaints of judicial misconduct?    ☐ yes    ☐ no

If yes, explain fully:

**Prior Judicial or Quasi-Judicial Experience Continued . . .**

Name of court/agency: \_\_\_\_\_

Period of service: \_\_\_\_\_

Judicial title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Chief Judge: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Describe the nature of your judicial duties (e.g. nature of cases, level of authority, criminal or civil, administrative, written or oral opinion, etc.):

Have you ever been required to respond to any complaints of judicial misconduct?    ☐ yes    ☐ no

If yes, explain fully:

## **G. EDUCATION**

### **1. Undergraduate**

For each undergraduate institution attended, list:

Name of institution:

---

Dates attended:

---

Degree(s) received and date(s) conferred:

---

Major field(s) of study:

---

Name of institution:

---

Dates attended:

---

Degree(s) received and date(s) conferred:

---

Major field(s) of study:

---

### **2. Law School**

For each undergraduate institution attended, list:

Name of institution:

---

Dates attended:

---

Degree(s) received and date(s) conferred:

---

Name of institution:

---

Dates attended:

---

Degree(s) received and date(s) conferred:

---

### **3. Other Graduate Education Received**

For each undergraduate institution attended, list:

Name of institution:

---

Course of study:

---

Degree(s) received and date(s) conferred:

---

### **4. For all institutions listed above, describe any academic honors, awards, law review and other activities and achievements:**

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## **H. STATE BAR AND COURT ADMISSIONS**

For all federal and state courts to which you have been admitted to practice list the following information:

1. State bar or court: \_\_\_\_\_
2. Registration number (if applicable): \_\_\_\_\_
3. Year admitted: \_\_\_\_\_
4. Current status (active/inactive): \_\_\_\_\_

## **I. REFERENCES**

Please list four persons who are familiar with your professional qualifications and character. For each person list the following:

Name and title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Name and title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Name and title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Name and title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

## **J. ADDITIONAL QUESTIONS**

Respond to each of the following inquiries where applicable. Indicate on attached sheets the items to which you are replying by showing the number of the question and by repeating the question. Indicate which questions, if any, are not applicable. Be sure that all attachments are included with the original and each of the ten copies of your application.

1. List seminars and workshops you have attended or participated in as a speaker or panelist, the subjects of which are relevant to the duties of a magistrate judge in this district, in the last five years.
2. If you have ever taught or lectured at a law school or other educational institution, please state the school(s), date(s) and subject(s).
3. If you have written, individually or with others, any articles, treatises, texts or handbooks, provide as to each the complete citation including publisher, date, title and subject matter.
4. List any elective or appointive public offices you have ever held (other than judicial or quasi-judicial). Please indicate whether the position was full-time or part-time, its location, duties and the periods of service.
5. Have you ever been formally censured, reprimanded, adjudged or held in contempt, sanctioned or otherwise disciplined by any judge, court, agency or tribunal? Has your license to practice law ever been revoked? If so, describe the facts and circumstances fully.
6. Have you ever sued or been sued by a client? If so, state fully the facts and circumstances, the court and case number, and the disposition of the matter.
7. Have you ever been a party to any litigation? If so, state the court, case number, the nature of the case and the circumstances of your involvement.
8. To the best of your knowledge, are you in compliance with the tax laws of the federal government and the state, county and community of which you are a resident? If not, explain fully.
9. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, give particulars.
10. Have you ever been charged with or convicted of any criminal offense other than a minor traffic offense? If yes, explain fully.
11. Have you served in the military of the United States or of any other country? If yes, state the branch, dates of service, rank or position held, and type of discharge.
12. Have you performed any significant public service (e.g. Peace Corps)? If so, explain fully.

13. Do any clubs or private associations to which you now belong or of which you were previously a member, have a discrimination clause or do they bar membership on the basis of race, gender, religion, ethnicity or other status protected by anti-discrimination laws? If yes, explain.
14. State any other pertinent information reflecting positively or negatively on you which you believe should be disclosed to the district court and the merit selection panel in connection with your possible nomination as United States Magistrate Judge.
15. How have you demonstrated your commitment to equal justice under the law?
16. Provide a brief statement of why you are seeking the office of United States Magistrate Judge and why you feel that you are qualified for the office. Include any special professional, occupational or other experience you have had which you feel should be considered by the merit selection panel. Describe how your educational, legal, administrative and business experience have prepared you for this office.

#### **K. STATE BAR REQUEST**

If your primary bar membership is of a bar other than the State Bar of California, you are required to submit in support of your application a current certificate of good standing issued by the authority governing attorney admissions in that jurisdiction. The certificate may be submitted with the application or separately.

Richard W. Wieking, Clerk  
United States District Court  
450 Golden Gate Avenue  
San Francisco, CA 94102

While your request to the bar should be made as soon as possible, the certificate of good standing need not be received by the Clerk before the application deadline (June 17, 2011).



## L. AUTHORIZATIONS AND WAIVERS/ FORMS

1. Complete, sign and return the Medical Authorization and Waiver form (see page 14). If selected for a magistrate judge position, you may be required to complete a detailed medical history form and to undergo a physical examination at your expense by a physician selected by the Court. The Medical Authorization and Waiver form authorizes the examining physician to obtain your medical information from other medical practitioners.

If you listed any physical or mental impairment in answer to question B.2., please submit two signed copies of the Medical Authorization and Waiver form for each physician and/or professional counselor health care provider you named in B.2.

2. Complete, sign and return the Professional Experience Inquiry Authorization and Waiver Form (see page 15). A **copy** of this form should be **attached to each of the ten copies** submitted of your application.

## M. APPLICATION VERIFICATION

I will submit to a physical and/or mental examination at my expense, if requested to do so.

This application is being submitted by me personally and, if selected, I am willing to serve as a United States Magistrate Judge in the district where the vacancy occurs.

I swear or affirm under penalty of perjury that all statements made in connection with this application are true and correct.

Signature & date:

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Executed in the County of \_\_\_\_\_ in the State of \_\_\_\_\_



**U.S. District Court  
Northern District of California  
Magistrate Judge Application Form**

**Medical Authorization and Waiver**

Physician's name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

I hereby authorize any person designated by the District Court or the Merit Selection Panel to communicate orally (including by telephone) and/or in writing with the physician or counselor named above or identified elsewhere in my application with regard to my physical and mental condition and history, and any care, treatment and advice given me.

I hereby authorize and direct the physician or counselor named above or identified elsewhere in my application to communicate to such person orally (including by telephone) such information regarding my physical and mental condition, care, treatment and advice as may be sought by such person and to supply a written statement if requested by such person. For these purposes, I hereby waive any physician-patient privilege that may exist.

A copy of this authorization shall have the same effect as an original. This authorization shall be effective for six months from the date signed.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Signature & date:

\_\_\_\_\_



**U.S. District Court  
Northern District of California  
Magistrate Judge Application Form**

**Professional Experience Inquiry Authorization and Waiver Form**

I hereby authorize present or former employers, contracting parties, partners, educators and administrators of the disciplinary and inquiry bodies of any court, bar or other association to disclose to the Merit Selection Panel and the District Court all information concerning my work history, qualifications and present professional status, and all complaints which have been made against me, together with the disposition thereof. I expressly waive whatever right I may have to confidentiality of the foregoing information.

I also hereby authorize the custodian of any records or information related to my application for magistrate judge to permit the examination or receipt of such records, whether written or oral, and/or information by anyone designated by the Merit Selection Panel.

Name: \_\_\_\_\_

Signature & date:  
\_\_\_\_\_

## **N.    ADDITIONAL QUESTIONS ANSWERS**

Question #: \_\_\_\_\_

Question #: \_\_\_\_\_

Question #: \_\_\_\_\_

Question #: \_\_\_\_\_

Question #: \_\_\_\_\_

Question #: \_\_\_\_\_

Question #: \_\_\_\_\_

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Question #: \_\_\_\_\_

Question #: \_\_\_\_\_

Question #: \_\_\_\_\_